

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

MARK BROACH,

Case No. 1:12-cv-66

Plaintiff,

Bowman, M.J

v.

CITY OF CINCINNATI,

Defendant.

**ORDER**

Because Defendant is entitled to judgment as a matter of law on a portion of Plaintiff's claims, and because genuine issues of material fact remain on other claims, as fully explained in the Memorandum Opinion filed herewith, **IT IS ORDERED THAT:**

1. Defendant's Motion for Summary Judgment (Doc. 23) be **GRANTED IN PART** and **DENIED IN PART** as follows;
2. Plaintiff's §1983 claims and claims relating to Plaintiff's transfer from Engine 34 to another station are dismissed;
3. All remaining claims will be permitted to proceed to trial.

s/ *Stephanie K. Bowman*  
Stephanie K. Bowman  
United States Magistrate Judge